

**ENTERED**

June 14, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

HEZRON NYATOME	§	CIVIL ACTION NO.
Plaintiff,	§	4:21-cv-02177
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
SPPLUS INC,	§	
Defendant.	§	

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

Pending is a Memorandum and Recommendation by Magistrate Judge Christina A. Bryan dated May 17, 2022. Dkt 18. Also pending are objections filed by Plaintiff Hezron Nyatome. Dkt 19.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

Upon *de novo* review and determination, Plaintiff's objections lack merit. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The objections by Plaintiff Hezron Nyatome to the Memorandum and Recommendation of the Magistrate

Judge are OVERRULED. Dkt 19.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 18.

The motion by Defendant SPPlus Inc to dismiss Plaintiff's complaint is GRANTED. Dkt 8.

All claims asserted by Plaintiff Hezron Nyatome are DISMISSED WITH PREJUDICE.

A final judgment will enter separately.

SO ORDERED.

Signed on June 14, 2022, at Houston, Texas.

A handwritten signature in black ink, appearing to read "Ch R Eskridge II".

Hon. Charles Eskridge  
United States District Judge